

## BACON TAKES ISSUE

Georgian Holds the President Ignored Constitution.

## SENATORS JOIN THE DEBATE

For Third Time in as Many Consecutive Days, the Chief Executive Is Arraigned in the Senate—Discussion Deals with Executive Act in Refusing to Send Facts of Steel Merger.

Senator Bacon, of Georgia, made a notable constitutional speech in the Senate yesterday, in which he called President Roosevelt to sharp account for his disregard of the constitutional rights of Congress.

The speech is the third this week in the Senate, one being made each consecutive day, in which the President has been arraigned by a Senator.

On Monday Senator Tillman attacked the President, and charged that he had failed to execute the laws and bring E. H. Harriman's Southern Oregon road to time and compel forfeiture of land grants for breach of the law.

Senator Foraker on Tuesday called public attention to the unlawful employment of detectives and the misuse of funds in the Treasury in connection with the Brownsville incident.

Distinct Offense Noted.

In his speech yesterday Senator Bacon pointed out what he regarded as a distinct offense committed by the President against the Constitution and laws. Older Senators do not recall a time in the history of the Senate, since the days of Andrew Johnson, when the President has been the subject of an attack in the Senate on three consecutive days.

"The Chief Magistrate is really been the unfinished business before the Senate," said one Senator. Little other business was transacted.

Mr. Bacon held the rapid attention of the Senate for more than two hours. Only Senator Hopkins, of Illinois, ventured to take issue with the Senator from Georgia. Senator Hale expressed the hope that it would yet turn out that the President's language in which he denied the right of Congress to call for official information from the executive department had been misunderstood.

Historical precedents were cited by Mr. Bacon, and the great leaders of the Republican party in the Senate in years gone by were quoted in contravention of the attitude of the President.

Mr. Hale, who supplied the garnishments for Mr. Bacon's speech, suggested that there was language in the President's message refusing to allow Attorney General Bonaparte to tell about the absorption of the Tennessee Coal and Iron Company by the United States Steel Corporation, which he thought that he regarded the heads of great department of the government as "so many chiefs," subject to his order rather than responsive to the will of Congress which created them and endowed them with power.

Assertive Resolution.

The resolution of Mr. Bacon, which was allowed to lie on the table, is as follows:

Resolved by the Senate, That any and every public document, paper, or copy thereof, on the file of any department of the government relating to any subject whatsoever which Congress has any right of power, jurisdiction, or control under the Constitution, and any information relating thereto within the call or inspection of the departments, is subject to the call or inspection of the Senate for its use in the exercise of its constitutional powers and jurisdiction.

Mr. Bacon on resuming his address in support of the resolution, said the President had used language which amounted to a plain denial of the rights of the Senate, in the message of January 6.

Mr. Hale, of Maine, interposed the suggestion that the President's message presented two distinct propositions. "I have never heard the right of the Senate to call for papers questioned before, and I hope the President will not question it now. The right has been exercised for generations," said Mr. Hale.

Mr. Bacon then declared that the President's refusal to recognize the Senate's constitutional rights was "emphatic and peremptory." The President after declaring Congress had no right to call for information had actually given the information.

In view of the President's denial of its constitutional rights, the duty of the Senate by resolution to reassert those rights," he added. The Senator made an extended constitutional argument to show that the Senate had always exercised the right. One important precedent cited occurred under the first administration of President Cleveland. The Senate had called for a letter written to the President about the appointment of a United States Marshal in Alabama.

Mr. Cleveland refused, and the Judiciary Committee, composed of Senators Everts, Hoar, Ingalls, George, Coké, and Jackson—who were described by Mr. Bacon as the "most eminent lawyers in the history of the country"—had condemned his refusal to send the letter as unwarranted.

Hopkins Opposes Measure.

Mr. Hopkins, of Illinois, expressed the opinion that the Senate in the case of an appointment to, or removal from, office called for information because it exercised co-ordinate powers in the matter of officers, but he questioned the right of one branch of Congress to compel the production of information touching another matter if, in the discretion of the Executive, it is advisable to withhold it.

Mr. Bacon replied that Congress determined his refusal to send the letter as unwarranted.

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## YESTERDAY IN CONGRESS.

## SENATE.

The Senate convened at noon. Senator Bacon introduced a resolution asserting the right of Congress to call upon executive departments for all information in their possession, and spoke for three hours in favor of the measure.

The joint resolution granting the use of the Pension Building for the inaugural ball was unanimously passed.

Senator Bacon may speak to-day denying that postal savings banks are authorized by the general welfare clause of the Constitution.

A movement has been started to attack the President for teaching down the old Pennsylvania station without notifying Congress.

Secretary Root appeared before the Senate Committee on Foreign Affairs.

The Senate adjourned at 3:45.

HOUSE.

House convened at noon. Bill passed authorizing Lincoln memorial stamp.

House goes into committee to discuss District appropriation bill.

Favorable action taken on Parsons resolution to appropriate \$15,000 for Washington playgrounds.

Pension appropriation bill reported.

House adjourned at 4:30 until noon to-day.

sired the information of the steel merger to enable it to legislate, and therefore had a right to call for it.

The Senator from Georgia read from a speech of Senator Spooner, of Wisconsin, in which he strongly upheld the right of the Senate to demand information.

"If the President can lock the doors of the departments," continued Mr. Bacon, "and say Congress shall not have information from them concerning the official conduct of an executive officer, he could defeat the object of an impeachment proceeding. Suppose the case was House in which the President was charged with connivance. He might, by refusing official information, defeat the object of the inquiry."

Mr. Fulton, of Oregon, suggested that there was no power to enforce compliance with a demand for information.

"We might cut off their salaries; that would be one effective way," replied Mr. Bacon. Mr. Fulton said that a statute ought to be passed fixing a penalty for refusal.

AGAIN AFTER THE SLEUTHS

House Committee in Lively Tilt Over Plans for Printing.

Finally Decides to Carry Out Suggestions in Bill by Representative Boutell.

A spirited debate over the Secret Service controversy took place among members of the Committee on Printing yesterday as a prelude to the action of the committee on a resolution directing that 2,000,000 copies of the Congressional Record, containing the proceedings of the House last Friday, when the Secret Service portions of the President's message were laid on the table, be printed for general distribution.

The committee had two resolutions before it on the subject up for consideration. One of them was presented by Representative Langley, of Kentucky, and the other by Representative Boutell, of Illinois.

The Langley resolution provided that the President's Secret Service messages should be attached to the House proceedings as an appendix. The Boutell resolution contained no such provision and it was the one reported by the committee.

The debate was marked by great animation. Representative Landis, chairman of the committee, wanted the Langley resolution reported. His colleagues, Representative Perkins, who was chairman of the select committee that reported the rebuke that was on Friday announced to the President, and Representative Finley, a Democrat from South Carolina, disagreed with him. As Messrs. Perkins and Finley had two votes and Mr. Landis only one, the Boutell resolution was reported favorably over the protest of Chairman Landis.

THANKS FROM ITALY.

Chamber of Deputies Sends Cablegram to Congress.

Speaker Cannon yesterday received a cablegram from the president of the Italian Chamber of Deputies expressing appreciation of the action of the House of Representatives in the adoption of the Harrison resolution of sympathy with the people of Italy.

EXPOSITION BOARD REPORTS.

Congress Gets Statement of Commissioners to Tokyo.

The report of the American commissioners to the Tokyo Exposition which was sent to Congress yesterday contains definite information of interest in commercial circles and to prospective exhibitors, and was received by the House of Representatives in the afternoon.

It is evident the visit of the American commissioners to Japan served a useful diplomatic purpose at an important juncture in the relations between the two countries.

The formal recommendation is made by the commissioners general themselves that the commission be placed on waiting orders at a merely nominal compensation to cover expenses until 1914, when full activity and salaries are to be restored.

ROOT EXPLAINS TREATIES.

Secretary Root Explains Senate Committee on Foreign Affairs.

Secretary Root was before the Foreign Relations Committee, of the Senate, yesterday explaining the treaty signed with Great Britain in reference to the Canadian water boundaries, Morocco, Henry K. Love, of Iowa, to be United States Marshal for the District of Alaska, Division No. 3.

It is more than likely that the committee will decide at its next meeting to make a favorable report on all of these conventions.

The Senate confirmed the arbitration treaties made with Bolivia, Ecuador, Uruguay, and Hayti. These are similar to those in effect with nearly all countries.

Wright Confirmed as Consul.

The Senate yesterday confirmed the following nominations: Herbert R. Wright, of Iowa, to be United States consul at Corinto; William H. Robertson, of Virginia, now consul at Gothenburg, to be consul general at Tangier, Morocco; Henry K. Love, of Iowa, to be United States Marshal for the District of Alaska, Division No. 3.

CONGRESS BRIEFS.

Judge Alton B. Parker, of New York, was a visitor to the Senators' gallery yesterday.

There was an exchange of pulpits, as it were, in Congress yesterday. Dr. H. H. Chapin, of the Senate, led the devotions of the House of Representatives and Dr. Couden those of the Senate at the opening of each house.

A bill was ordered reported by the House Committee on Post-Offices and Post Roads authorizing Mrs. Grover Cleveland and Mrs. Benjamin Harrison, widows of late Presidents, to dispatch their mail free of postage.

The House Committee on Pensions yesterday reported a bill granting a pension of \$30 a month to Mrs. Julia R. Ogilvie, widow of John Ogilvie. Mrs. Ogilvie resides in New York City.

The Committee on Judiciary yesterday reported favorably on the resolution introduced last week by Representative Clarke, of Florida, calling on the Attorney General for information as to what authority he had under law to organize a force of Secret Service agents.

## TILLMAN WILL REPLY

Senator to Aim Shafts at Mr. Bonaparte To-day.

## PROMISES A "WARM" SPEECH

South Carolinian Plans to Play an Aggressive Role—Suspects Some One Is Tampering with the Mails. Deeply Angered at the Attorney General's Assertions.

In his own mellifluous style Senator Tillman will reply to the Attorney General's statement, in the Senate to-day.

The lawmaker still insists that Mr. Bonaparte in seeking to refute certain assertions made in Monday's speech, failed to answer whether or not suit had been brought against the Oregon Land Company.

The two principals in the word war, had a brief colloquy over the telephone yesterday which resulted in Mr. Bonaparte's sending a special message to the Senator.

Mr. Tillman declares he will read this message in his speech this afternoon along with other facts in connection with his much discussed "conversation" with the cabinet officer in January last.

The South Carolinian has given his promise that the address to-day will be "warm." He will not read his speech this time, but will assume his old role of aggressiveness and make an extemporaneous defense of his own record.

Trouble with Mail.

It is probable that the Southerner will incidentally mention the trouble that he has been experiencing lately with regard to his mail. He suspects some one is tampering with his correspondence, and said yesterday that a special delivery letter addressed to him from New York on Tuesday night had not yet arrived.

"These mighty strange delays," as he expressed it, almost prompted him to arise yesterday and raise a "rumpus," but he decided to wait and give the post-office authorities a chance to "make good."

Mr. Tillman stirred the circumambient air about the Department of Justice after reading what Attorney General Bonaparte had said about his contemplated Oregon land deal. The Senator said in his speech that he had talked about it frankly with the Attorney General when he had the investment under advisement, and Mr. Bonaparte reports the conversation in another way.

"Just ask the Attorney General if he has brought suit against the Oregon Land Company?" said Senator Tillman, when asked if he had anything to say about what Mr. Bonaparte had said in the morning papers.

"That will be sufficient," said Mr. Tillman. "Just ask him that, but wait a minute, I'll do it myself."

Here Mr. Tillman grabbed the telephone and, getting the Department of Justice, gave him the Attorney General's speech with the Attorney General.

Mr. Bonaparte came to the other end of the wire, and Mr. Tillman put the question which he seemed to think was most significant.

"Have you brought suit against the Southern Oregon Company? That's the company that controls the land grant for the military road from Roseburg to Coquille Bay?"

"Oh? What's that? No, I'll hold the wire. It ought not to take long to find that out."

Some further parleying followed, and then Mr. Tillman had to be content with the statement that the Attorney General would write him later in the day about it.

NEW ATTACK PLANNED.

Senate Wants to Know President's Authority for Raising Station.

Despite the fact that his name has been mentioned in connection with the latest attack the Senate is preparing for the President, Senator Scott yesterday stated that he would not present a resolution for an investigation into the destruction of the old Pennsylvania station.

As chairman of the Committee on Public Buildings and Grounds, Senator Scott has been urged to take action to ascertain by what authority the Chief Executive ordered the old landmark to be torn down. Senator Scott does not wish to take any active part in the new attack, lest it be charged that he had proceeded because of animosity.

Just who will present the resolution, is not known, but it is expected the measure will be passed without opposition in a few days.

PENSION BILL REPORTED.

Measure Carries a Decreased Allowance of \$2,025,000.

Gen. Keifer yesterday, on behalf of the Committee on Appropriations, reported the pension appropriation bill to the House of Representatives. He gave notice he would call the bill up for consideration by the House either to-morrow or the next day.

The bill carries a total appropriation of \$25,625,000, which is \$2,025,000 less than the appropriation for 1908.

The recommendation to consolidate the eighteen pension agencies throughout the United States is again contained in the report of the committee. There are very few changes of importance in the bill.

Pass Stamp Bill.

Mr. Dawson's joint resolution authorizing the issue of a 2-cent postage stamp in commemoration of the 100th anniversary of the birth of Abraham Lincoln was passed by the House of Representatives yesterday.

COLD CURED IN ONE DAY

GRIP

Munyon's Cold Remedy Relieves the head, throat and chest almost immediately. Checks Fevers, stops Discharges of the nose, takes away all aches and pains caused by colds. It cures Grip and whooping Coughs and prevents Pneumonia. Price 25c.

Have you stiff or swollen joints, no matter how chronic? Ask your druggist for Munyon's Rheumatism Remedy and see how quickly you will be cured.

If you have any kidney or bladder trouble get Munyon's Kidney Remedy.

Munyon's Vitalizer makes weak men strong and restores lost powers.

Munyon's Magazine Almanac sent free on request.

## Saks Clothes: The Best!

An Opportune Event  
82d Semi-Annual Clearance  
Sale of Saks Clothing.

It is seldom you have a chance to pick up such values as this sale offers.

\$10 and \$12.50 Suits and Overcoats . . .	\$7.50
\$15 Suits and Overcoats . . . . .	\$9.75
\$18 and \$20 Suits and Overcoats . . .	\$12.50
\$22.50 and \$25 Suits and Overcoats . .	\$16.25
\$28 and \$30 Suits and Overcoats . . .	\$19.75
\$32.50 and \$35 Suits and Overcoats . .	\$23.75
\$38 and \$40 Suits and Overcoats . . .	\$28.75
\$5, \$6, and \$6.50 Trousers . . . . .	\$3.95
\$7.50, \$10, and \$12 Trousers . . . . .	\$5.00

## Saks &amp; Company

Pennsylvania Avenue

Seventh Street

## PLAYGROUNDS WIN IN HOUSE FIGHT

Continued from Page One.

nastium was started in the city of Boston, and the first of the sand gardens for the children. From that small beginning the playground movement has spread to the city of Washington.

"Last year the city of Boston appropriated \$30,000 for the use of these playgrounds, providing additional apparatus and providing instructors. The use, or the necessity of an instructor for these children, is absolutely recognized."

"The playground has become so well recognized as a part of their education that in this last year the matter was brought up before the legislature of Massachusetts, and a special act was passed which, I think, is very significant as showing the general recognition of the playgrounds theory in that part of our country, a part of the country where it was started first, and where to-day it is in most general use."

Opposes Appropriation.

Mr. Vreeland, of New York, was the first to speak in opposition to the amendment. "I want to say a few words as to the position of the Committee on this question and as to the reason which has induced it to bring in the appropriations in the form in which they have come."

"The appropriation carried in this bill for maintenance and salaries in connection with the playground system which includes the swimming pools down on the flats, is \$45,000. \$15,000 is for maintenance of playgrounds, and \$30,000 for salaries and equipment in relation to the bathing pools, and we are informed that both these are included in one system, the question that is before the Committee for discussion is not whether we will have playgrounds for the children of Washington. That policy has already been entered upon. A large number of playgrounds have already been provided."

Favors Amendment.

"I am heartily in favor of this amendment," said Mr. Murphy. "The modern system of education provides largely for the education of children, not only in the school, but on the playgrounds, in the kindergarten and junior years."

"In the public school system of to-day much of the teaching is done by instruction in games and playgrounds, and in the course of study in almost all of our normal schools to-day there is a provision made for the teaching of teachers how to teach the children to play."

"In all courses of study, in all schools in our universities, people are employed to teach the children how to play, and in all universities some of the highest priced men are those who teach our boys how to contest in baseball, football, rowing, and other athletic sports. We all justify that. I see no reason why this should not be adopted."

Bowers Against Plan.

Mr. Bowers, of Mississippi, was one of the strongest speakers in opposition to the movement.

"Whether I am right or wrong, I have no hesitation in pledging the constituency which I represent on this floor as dissenting from the proposition," said Mr. Bowers, "and I think that my friend from Vermont, Mr. Foster, was equally unfortunate in his advocacy of this particular proposition when he ridiculed the gentleman from Tennessee, Mr. Gaines, or his use of the term 'wilderness of teachers.'"

"Some years ago the House was betrayed into appropriating a sum of something like \$10,000 for the administration and control, and the policing, so to speak, of these grounds. Do I enlighten my friend from Vermont when I advise him that thirty per cent of that whole appropriation went to the gentleman who called that matter first to the attention of Congress in the shape of a salary as general superintendent of playgrounds."

Says Money Needed.

Representative Gillett, of Massachusetts, said when the question first came before the Committee on Appropriations he was in full sympathy with the view which is now taken by the committee, but differing from the rest of the committee he had changed his mind, and believed that it was because he had investigated the question.

"I think I have advanced and the rest of the committee have not; whereas, of course, their opinion is just the reverse," said Mr. Gillett. "I grew up in the country, and when this question first came before me I said it was absurd to buy playgrounds and to have supervisors to protect the grounds. In the country, where there is plenty of room, and where they know each other better, there is fair play, and the boys will insist upon it, but I have come to believe that in a big city, where there are toughs and hoodlums, that it is necessary that the city provide playgrounds for them, and that in order to make those playgrounds effective you have to have somebody to look after the small boys and the big boys, and, particularly, those who will take the small children and protect them, and, therefore, I have changed my original belief, and I think that we ought to provide playgrounds in the city of Washington, and if we are going to provide playgrounds we ought also to maintain them."

Mr. Sherley Speaks.

Mr. Sherley, of Kentucky, declared that underlying the amendment offered by Mr. Parsons was a great proposition of government, bigger than the question of whether the government should spend \$50,000 more of the people's money or not.

"When I am told," said Mr. Sherley, "that it is necessary to supervise the play of children in order to enable them to play, I am told something that is in direct conflict with my experience as a child."

"When I am told that it is necessary to prevent the big boys from overrunning the small boys, I recall how, as a small boy, I organized enough small boys to keep off the big boys. And that tendency, it is that self-development, that taking care of one's self which has been a marked characteristic of American boys and American men, and which has served to make the fiber, the moral backbone of this great nation. I do not wish to see it undermined by a pampering system imported from abroad."

Extravagance, Says Burleson.

Mr. Burleson declared the plan to give \$50,000 was a step toward extravagance, and one from which the children of the District would derive little benefit. He said that his children played in the streets and the parks of the city, and that he saw no reason for spending money to teach them how to play.

"I have been a member of this body for ten years, and never during my subjectance here have I witnessed as much misapprehension with reference to a subject matter under discussion," said Mr. Burleson. "Time and time again here have we heard that members exclaim, 'where shall the children play?' One gentleman suggests that the town is covered with signs of 'keep off the grass.' Another gentleman says that the public parks are closed to the children. Another says that they are driving the children from all these squares, circles, and triangles, and that they have no place to play."

Not Financial Question.

Representative Bede, of Minnesota, said so far as the financial side of the question was concerned, he did not wish to discuss it because he thought the committee much more competent to deal with that part of the argument.

"If this question referred only to Democrats and bull weevils and other products of Texas, I would leave it entirely to the gentleman from Texas, Mr. Burleson," said Mr. Bede, "but as it refers to children, and I have some of those innocent daughters in my family, I think I have a right to speak."

"It depends altogether upon what you think and what you believe about the conduct of children. I never have known a family of ten or fifteen children like my own (laughter) that could be turned out into the nursery without a governess. If there is any man in this House with that sort of a family that he can turn out without a governess, he ought to vote against this appropriation, but if he believes in a governess for the nursery, he ought to give a governess to the playgrounds in this Capital city."

"I once had a lady friend who had about twenty children. (Laughter.) She

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